

**ARTICLE \_\_**  
**OTHER EMPLOYEE RIGHTS**

.1 Constitutional Rights. Nothing in this Agreement shall be understood to diminish the constitutional rights which bargaining unit members have as citizens of the United States or Florida, or to diminish the right of such faculty member to exercise those rights. Any alleged violation of such rights shall not be subject to the grievance and arbitration procedure set forth in this Agreement, but instead, shall be remitted only to the appropriate administrative agency or court of competent jurisdiction.

.2 Limitation on Personal Liability.

(a) In the event a faculty member is sued for an act, event, or omission which may fall within the scope of Section 768.28, Florida Statutes, the faculty member should notify the Office of the General Counsel as soon as possible after receipt of the summons commencing the action in order that the Board may fulfill its obligation. Failure to notify the faculty member promptly may affect the rights of the parties.

(b) For information purposes, the following pertinent language of Section 768.28(9), Florida Statutes, is reproduced herein. No officer, faculty member or agent of the State or any of its sub-divisions shall be held personally liable in tort or named as a party defendant in any action for any injury or damages suffered as a result of any act, event or omission of action in the scope of his or her employment or function unless such officer, faculty member or agent acted in bad faith or with malicious purpose or in a manner exhibiting wanton or willful disregard of human rights, safety or property.

**For the University**

**For the UFF**

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Mark Bonfanti  
Chief Negotiator

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Candi Churchill  
Chief Negotiator

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Date

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Date